



The Commonwealth of Massachusetts

Office of Campaign & Political Finance

One Ashburton Place, Boston 02108

727-8352

Dennis J. Duffin
Director

June 3, 1988
AO-88-20

Joseph Newman
Associate Director
Intergovernmental Relations
Office of the Auditor
State House, Room 229
Boston, MA 02133

Dear Mr. Newman:

This letter is in response to your request for an advisory opinion concerning the reimbursement to you by the DeNucci Committee for airline tickets and hotel accommodations for the Democratic National Convention.

You have stated that, on your personal time, you serve as the DeNucci Committee's liaison to the Democratic State Committee. In this capacity, you are responsible for directing the political affairs of the Auditor's office, coordinating Mr. DeNucci's appearances before any partisan audiences and providing outreach to other political leaders throughout the commonwealth.

You also serve as an unpaid consultant to the treasurer of the DeNucci Committee, consulting on any technical or political questions encountered by the Committee.

You have inquired as whether or not the DeNucci Committee may pay for your round trip coach airfare from Boston to Atlanta and hotel accommodations in Atlanta. You will be accompanying Mr. DeNucci, who is a delegate to the Democratic National Convention, and will be available to advise him on any political questions which may arise at the convention.

Section 2.05 of 970 C.M.R., promulgated under M.G.L. c.55, states that certain expenditures by political committees are expressly permitted. Among such expenditures are "reasonable travel and related expenses for a candidate and agents of a political committee in connection with ... conventions provided that the issues

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with which any such ... convention is concerned are within the scope of that person's direct and substantial responsibilities as a candidate or agent of the committee, and whose subject matter is related to ... party politics."

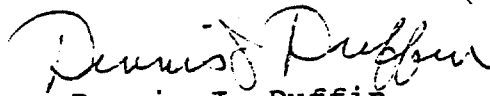
It is the opinion of this office that your work for the DeNucci Committee qualifies you as an agent of the Committee. Additionally, the issues on which you expect to advise Mr. DeNucci at the Democratic National Convention are clearly within the scope of your direct and substantial responsibilities for the Committee. Therefore, any reasonable travel and related expenses incurred by you in attending the Democratic National Convention may be paid for by the DeNucci Committee.

Please note that 2.05(4)(b)(5) would prohibit the Committee from paying for any "travel expenses or room and board expenses for any delegates to ... national party conventions, other than such expenses solely for the candidate on whose behalf the political committee making the expenditure is organized" (emphasis added). The Committee may therefore pay for Mr. DeNucci's expenses as a delegate to the Convention, but not your expenses if you were a delegate.

This opinion has been rendered solely on the basis of the representations made in your letter and solely in the context of M.G.L. c.55.

Please do not hesitate to contact this office should you have additional questions.

Very truly yours,



Dennis J. Duffin
Director

DJD/ba